

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAMARIYAH J. EMERSON,

Defendant.

Case No. 20-CR-159-JPS

ORDER

On September 9, 2020, the grand jury returned a three-count indictment, in which it charged Defendant with violations of 18 U.S.C. §§ 2, 922(g)(1), 924(a)(2) and (c)(1)(A)(ii), and 2119(1). (Docket #6). On October 20, 2020, the parties entered into a plea agreement as to Counts One and Two of the Indictment; the Government agreed to dismiss the remaining count at sentencing. (Docket #11).

The parties appeared before Magistrate Judge Nancy Joseph on November 9, 2020 for a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #13). Defendant pleaded guilty to Counts One and Two of the Indictment. (*Id.*) After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary and that the offenses charged were supported by an independent factual basis containing each of the essential elements of the offenses. (Docket #14 at 1).

Thereafter, Magistrate Judge Joseph filed a Report and Recommendation, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3)

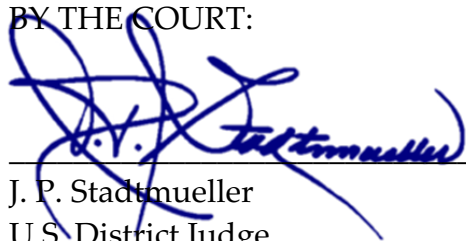
Defendant be adjudicated guilty and have a sentence imposed accordingly. (*Id.*). Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. (*Id.* at 2). To date, neither party has filed such an objection. The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's Report and Recommendation (Docket #14) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 11th day of December, 2020.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge